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JOINT FORCE HEADQUARTERS
OFFICE OF THE ADJUTANT GENERAL - CALIFORNIA NATIONAL GUARD
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CARSD-J1

16 November 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Statement on the Prevention of Sexual Assault

1. Sexual assault is a crime, demeans the value of others, and erodes the basic foundation of trust so vital to the success of every military mission. As a result, the California National Guard will do all that is possible to prevent sexual harassment, effectively implement the Army's Sexual Assault Prevention and Response Program (SAPRP), and prosecute offenders to the fullest extent allowed under either civilian or military law.

2. Sexual Assault Prevention and Response Program defines sexual assault "as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. This includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender or spousal relationship or age of victim. 'Consent' shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion, or when the victim is asleep, incapacitated or unconscious (DoD Directive 6495.01, October 6, 2005)."

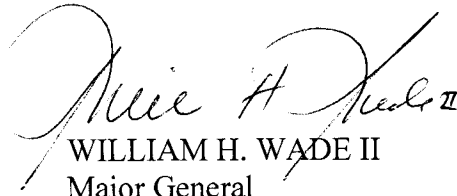
3. I know that our leadership will fully invest their efforts to ensure the speedy implementation of SAPRP at every level. In order to accomplish this task, all commanders must become informed about the policies that govern SAPRP. I want commanders to place special emphasis on ensuring that all accusations of sexual assault are taken seriously and referred to the proper authorities for investigation. I also want to elevate the importance of leadership involvement in educating our service members about prevention of sexual assault, treating all victims with care and dignity, and protecting victims against reprisal for reporting. Commanders can access vital information regarding SAPRP at <http://www.calguard.ca.gov/j1/SAPRP/index.htm>. Commanders can contact the Sexual Assault Response Coordinators (SARCs), MAJ Philip Holcombe at (916) 240-3477 or Mr. Robert May at (916) 869-0787 to ensure successful implementation of SAPRP.

4. Service members who are sexually assaulted should immediately seek medical care. Prompt medical care is essential to address the potential negative physical consequences of sexual assault and for collection of forensic evidence should a victim wish to prosecute an offender. Victims always have the right to contact the commander, authorities, chaplains, local rape crisis response resources, and/or the SARCs. The SARCs exist to advise commanders on the SAPRP and to assure that victims of sexual assault are treated with care and dignity. Service members can access information about sexual assault and the SAPRP at <http://sexualassault.army.mil/index.htm>.

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5. I know that we can all work together to prevent sexual assault in the California National Guard. Any questions or comments may be addressed to Mr. Robert May via his cell number at (916) 869-0787 or by e-mail at Robert.May7@us.army.mil.



WILLIAM H. WADE II
Major General
The Adjutant General

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